

24 CV 0531

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

JOHN CALVIN SETH LEHMANN	
Plaintiff,	
v.	
ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES, Marie Cannon OCSE SCU, OFFICE OF COUNSEL, Kellie Poynton-Gallagher (Interstate instrumentality)	Index No. 24-47885 Purchased: 04-05-2024
Respondents,	

RE: Index No. 24-47885

REMOVAL TO FEDERAL DISTRICT COURT PURSUANT TO 28 USC § 1441 and 1446(a)

Pursuant to 28 U.S.C 1441 Removal of civil actions, may be removed by the Plaintiff to this Federal District Court. Pursuant to 45 CFR 301.1, ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES and ERIE COUNTY OFFICE OF CHILD SUPPORT ENFORCEMENT, SUPPORT COLLECTION UNIT, hereafter OCSE SCU, is in the capacity as a “foreign reciprocating country” as part of the Hague Convention, which is a foreign international treaty. Federal Social Security Act defines: OCSE SCU; legal status of “interstate instrumentality” This removal to Federal District Court should be granted for the following reasons set forth below, in accordance with the law.

1) OCSE SCU, administrative enforcement(s) is a claim arising under the Uniform Interstate Family Support Act (UIFSA) which implemented the Hague Convention, an international treaty. As this court is aware, a treaty (Federal Law) preempts state law and this Federal Court has original jurisdiction pursuant to 28 U.S.C. 1331.

2) This court also has jurisdiction pursuant to 42 U.S.C 660.

3) 28 U.S Code § 1332 Diversity of Citizenship: John Calvin Seth Lehmann is an Article II, Section 1, Clause 5 natural born Citizen (National) of the United States of America, of one of the several states.

4) Pursuant to Article I, Section 8 of the United States Constitution, this court has original jurisdiction over “interstate instrumentalities”, and the legal claims thereof.

5) This court has jurisdiction pursuant to Article 1, Section 10, Clause 3 of the United States Constitution over “interstate compacts”. Interstate compacts are subject to federal law, not state law.

6) This court also has jurisdiction pursuant to the Clearfield doctrine. Clearfield Trust Co. v. United States, 318 U.S. 363 (1943). “held that federal negotiable instruments were governed by federal law, and thus, the federal court had the authority to fashion a common law rule”. Erie Railroad Co. v. Tompkins “holding that because the U.S. government was exercising a constitutionally - permitted function in disbursing its own funds and paying its debts, the commercial paper it issues should be governed by federal law rather than state law”.

Respectfully,



John Calvin Seth Lehmann

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Plaintiff,	
v.	
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Respondents,	

WRIT OF HABEUS CORPUS

NOW COMES, John Calvin Seth Lehmann, a natural born Citizen of the United States of America, of the several states, pursuant to Article I, Section 9 of the United States Constitution, moves this court of record for an order to render all judgment, orders, rulings, and/or decisions in Index No. SF2010-903055 an undisclosed trust agreement, resulting in modification order to create IV-D case number BV15080G1 must be decided by a judge within the State of New York's 8th district of for lack of jurisdiction and/or authority. The State of New York has not denied to hear this Writ of Habeus Corpus in Erie County Family Court and Orleans County Supreme Court both subsidiaries of the 8th Judicial District of New York.

PETITIONER IS A NATURAL BORN CITIZEN OF THE UNITED STATES OF AMERICA

1. The United States Constitution declares three types of citizens exist in this country. (1) A natural born Citizen (2) A person born in the United States and (3) A person naturalized in the United States. Both citizens mentioned in (2) and (3) are statutory creatures as provided for in the 14th Amendment of the United States Constitution.
2. The petitioner, is a natural born citizen of the United States of America, of the several states, as part of *Article II, Section 1, Clause 5*, of the United States Constitution. The privileges and immunities clause of Article IV Section 2 of the United States Constitution, was derived from the Articles of Confederation. Article IV, of the Articles of Confederation promised the petitioner, in part, that he is a free Citizen, one of the people of America.
3. Corfield v. Coryell (6 Fed. Cas. 546, no. 3,230 C.C.E.D.Pa. 1823) is a landmark decision decided by Justice Bushrod Washington. The perhaps most cited aspect of Corfield v. Coryell is Justice Washington's listing of the "privileges and immunities" enjoyed by citizens of the United States; In part, *"The inquiry is, what are the privileges and immunities of citizens in the several states? We feel no hesitation in confining these expressions to those privileges and immunities which are, in their nature, fundamental; which belong, of right, to the citizens of all free governments; and which have, at all times, been enjoyed by the citizens of the several states which compose this Union, from the time of their becoming free, independent, and sovereign."*

4. The petitioner gave his allegiance to the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all. *In a republic. the people are sovereign see Buckley v. Valeo, 424 US 1 - Supreme Court 1976. "Under our Constitution it is We The People who are sovereign see United States v. Automobile Workers, 352 US 567 - Supreme Court 1957.*

FOURTEENTH AMENDMENT TO THE UNITED STATES CONSTITUTION

1. Then, the 14th amendment to the United States constitution was ratified in 1868. Some legal scholars and institutions say this was a “new grant of power”, a “new constitution”, that “stole” the rights and sovereignty of the people, and gave the federal government enormous power. However, the Fourteenth Amendment, was in “particular regard for corporations”, as stated below:

- I. *“In an argument before the Supreme Court of the United States in 1882’ Roscoe Conkling, a former member of the Joint Congressional Committee which in 1866 drafted the Fourteenth Amendment, produced for the first time the manuscript journal of the Committee, and by means of extensive quotations and pointed comment conveyed the impression that he and his colleagues in drafting the due process and equal protection clauses intentionally used the word “person” in order to include corporations. “At the time the Fourteenth Amendment was ratified,” he declared, “individuals and joint stock companies were appealing for congressional and administrative protection against invidious and discriminating State and local taxes. One instance was that of an express company, whose stock was owned largely by citizens of the State of New York . . . ” The unmistakable inference was that the Joint Committee had taken cognizance of these appeals and had drafted its text with particular regard for corporations.”*

The 14th Amendment of the United States Constitution:

2. All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No

state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

- I. The petitioner is not “*subject*” to the jurisdiction of the United States or of this state. In order for this state to have jurisdiction over the petitioner, the state would have to prove that the petitioner is a person born or naturalized in the United States and subject to the jurisdiction thereof. The petitioner, is not a person born or naturalized in the United States, and therefore, is not a citizen of the United States or this “state”. The 14th Amendment to the United States Constitution does not allow the defendants to exercise the “STATE OF NEW YORK” statutory authorities over the petitioner, and this court shall not hold valid the exercise of any state court jurisdiction over the petitioner.
- II. The definition of “person” in this state’s statutes, obviously does not include “natural born citizen”, thus the petitioner is not subject to any statutes, codes, rules, programs, and regulations intended for
- III. “Individual persons”, etc. Most assuredly this state would not categorize a free citizen, as a “person” (corporation), as this would be a willful violation of many United States constitutional Amendments that place restrictions on the states.

**DIFFERENCE BETWEEN A CITIZEN OF THE UNITED STATES OF AMERICA, AND
THE UNITED STATES**

3. We must now turn to a very critical question. Is there a difference between the United States of America and the “United States”? The United States Supreme Court has answered the critical question, as follows. *“Two national governments exist, one to be maintained under the constitution, with all its restrictions. The other to be maintained by congress outside and independent of that instrument”*.
4. Dissenting opinion of Justice Marshall Harlan: Downes v. Bidwell, 182 U.S 244 (1901). Article 2, Section 1, Clause 5, provides two types of citizens, (1) a natural born Citizen, and (2) a citizen of the “United States”. A natural born citizen of the United States of America, and to the republic for which it stands, is a free Citizen, subject to the natural laws and the common laws derived therefrom.
5. The second form of national government, is maintained outside and independent of the constitution by congress, who has defined the “United States” status as follows:
 - I. Congress has defined the “United States”, in 28 U.S. Code 3002 (15) “United States means (A) *A federal Corporation*. Further, in U.S V Perkins, 163 US 625 (1896), the supreme court asserted that the *“United States is a foreign Corporation”*. The Uniform Commercial Code sec 9:307 asserts that the *“United States is located in the District of Columbia”*. Therefore, no “act” of congress, or the 14th Amendment of the United States Constitution which was intended for corporations, can exercise its jurisdiction and/or authority over the petitioner.

6. The “central government” is the United States of America, and congress “acts” as a unitary state, as a single entity. In fact, congress has “treated” the “United States” like a “state” in more than 500 Federal laws.
7. The constitution of the United States assigned to congress responsibility for organizing the executive and judicial branches, raising revenues, declaring war, and making all laws necessary for executing these powers. *see Office of the Secretary of the Senate with the assistance of Johnny H. Killian of the library of congress - Senate Publication*. But, nowhere in the United States constitution does it say that congress has jurisdiction or power over the People of the United States of America. Congress cannot “convert” the People of America, into statutorily created “artificial persons” in an attempt to steal the Republic form of government that I fought for, and promised to defend.
8. Thus, the 14th Amendment of the U.S Constitution, along with its jurisdictional clause, and the “Incorporation doctrine” is inapplicable, in regards to the petitioner.
9. In the *Slaughter-House Cases*, 83 U.S. (16 Wall.) 36 (1873), the Court argued that the 14th Amendment textually distinguished between citizens of the United States and Citizens of the several states. The following paragraph is proof of such found in the *U.S v. Anthony* case decided in (1873). This case supports that the petitioner is not a citizen of this state, and therefore is not subject to the jurisdiction, thereof.
10. The United States Supreme Court has recognized the difference between the different “citizenships” as explained above. “The term resident and citizen of the United States is distinguished from a Citizen (national of the United States of America) of one of the several states, in that the former is a special class citizen created by congress” *U.S v. Anthony*, 24 Fed., 829 (1873). This “special class of citizen”, created by congress, is classified as property and franchise of the federal government see *Wheeling Steel Corp.*

v. Fox, 298 U.S. 193, 80 L. Ed., 1143, 56 S. Ct. 773 (1936). This begs the question, why was the “pledge of allegiance to the United States of America” taken out of the schools, and elsewhere? Why was God taken out of schools as well?

11. “Natural” as used in the term, “natural born Citizen”, at the time the constitution was adopted, meant:

- I. “*the opposite as provided by statute*”, see Sir William Blackstone commentaries and English common Law. In this, as in other respects, it must be interpreted in the light of the common law, the principles and history of which were familiarly known to the framers of the Constitution. In eighteenth century legal language “natural” meant arising from the nature of things—a usage reflected, for example, in natural law (as opposed to statutory law) and natural rights (as opposed to statutory rights). Under this common meaning of natural, “natural” citizenship should be distinct from— not coextensive with— statutory citizenship See: Journal of Constitutional law by Michael D. Ramsey.

12. Furthermore, “natural” was defined in JOHNSON, supra note 19, at 1349–50. Bailey’s 1765 edition as both “[o]ne born in any place, an original inhabitant” and “conferred by birth also see ASH , supra note 19 (definitions of “Natural,” “Naturalized” and “Native.”). 43 Ex parte Grossman, 267 U.S. 87, 108–09(1925); see also Calder v. Bull, 3 U.S. (3 Dall.) 386, 390–91(1798).
13. A natural born Citizen of the United States of America, of the several states, is not a statutory creation. ***I am a creation of God, Jesus Christ***, naturally born in the United

States of America, and thus was promised that the Constitution thereof, would work as a restriction on the national and state governments power over the People of America. No act of Congress, state legislatures, or state court doctrines shall curtail those rights and restrictions, so promised See *all United States Supreme Court Case laws in relation to such.*

DEFENDANTS FALSELY CLAIM TO HAVE JURISDICTION OVER PETITIONER

14. The petitioner, is not claiming to be a “natural born citizen” “with sovereignty, and fully understands that he is subject to the judgment of God, the true sovereign. He also understands that as a natural born Citizen of the United States of America, of the several states, that he is also subject to the “natural laws” of said country (United States of America).
15. The defendants however, claim that I am not a natural born Citizen of the United States of America and that I am a statutory creation subject to statutory regulations not known to the natural laws. The defendants also claim that I do not possess my God given and inalienable rights and that the United States of America Constitution does not work as a restriction on state and federal governments power over the People of America, so promised to the petitioner.
16. **10th Amendment to the United States of America Constitution: *The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.***
 - I. Congress, nor the defendants have the constitutional authority to force the petitioner into their jurisdiction. Thus, the petitioner exercises his 10th Amendment right to not participate in any treaties and “programs” or be subject to any codes, rules, regulations, and statutes exercised under the jurisdiction of the United States or of this state.

17. The issues raised within this Writ Of Habeas Corpus, in regards to standing of the petitioner and the defendants lack of jurisdiction, has already been decided by the United States Supreme Court which have been cited within this writ. The United States Constitution prohibits the STATE OF NEW YORK from exercising 14th Amendment jurisdiction over the petitioner. Therefore, a neutral and detached Judge of a lawful court of record must make the defendants bring forth evidence that prove their alleged jurisdiction and/or authority as follows:

- (1) Defendants must prove that I am a person born or naturalized in the United States, which therefore would be “subject” to the jurisdiction of the United States and of this state.
- (2) Defendants must prove that I am not a natural born Citizen of the United States of America, and that the United States of America constitutional restrictions on their power and authority in Article I Section 10 Of the United States Constitution allows defendants to implement a treaty as part of the Title IV Part D of the Federal Social Security Act.
- (3) Defendants must prove that the defendants had jurisdiction to exercise codes, rules, statutes, and regulations over the petitioner which are not known to the natural laws of the United States of America.
- (4) Defendants must prove that the petitioner cannot exercise the 10th Amendment to the United States Constitution as stated herein.

CONCLUSION

1. When the defendants fail to provide proof of jurisdiction and/or authority, this court shall render all orders, judgments, rulings and decisions void for lack of jurisdiction and/or authority in IV-D case number BV15080G1. A court of record proceeding according to the natural law must first determine if the defendants have jurisdiction before the petitioner can assert any constitutional claims.

United States of America



DEPARTMENT OF STATE

To all to whom these presents shall come, Greetings:


I Certify That the document hereunto annexed is under the Seal of the State(s) of Missouri, and that such Seal(s) is/are entitled to full faith and credit.*

**For the contents of the annexed document, the Department assumes no responsibility
This certificate is not valid if it is removed or altered in any way whatsoever*




In testimony whereof, I, Antony J. Blinken, Secretary of State , have hereunto caused the seal of the Department of State to be affixed and my name subscribed by the Assistant Authentication Officer, of the said Department, at the city of Washington, in the District of Columbia, this ninth day of May, 2024.

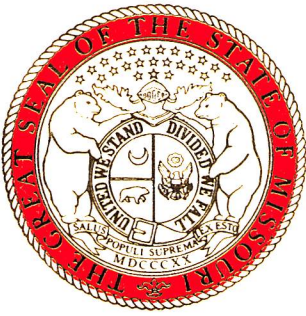
*Issued pursuant to CHXIV, State of
Sept. 15, 1789, 1 Stat. 68-69; 22
USC 2657; 22USC 2651a; 5 USC
301; 28 USC 1733 et. seq.; 8 USC
1443(f); RULE 44 Federal Rules of
Civil Procedure.*



Secretary of State

By 

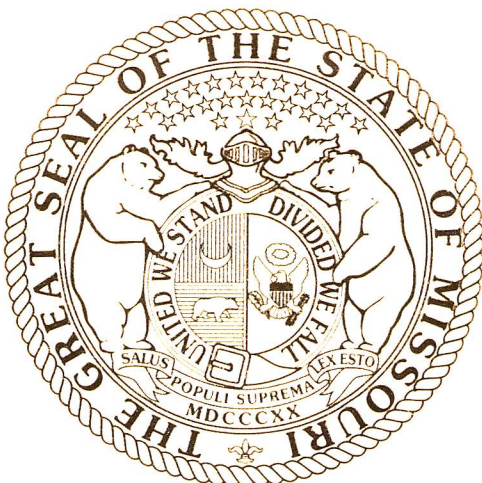
Assistant Authentication Officer,
Department of State



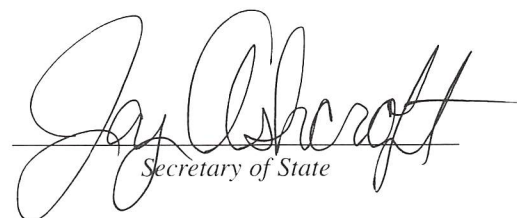
STATE OF MISSOURI

Office of Secretary of State

I, **JOHN R. ASHCROFT**, Secretary of State of the State of Missouri, and Keeper of the Great Seal thereof, hereby certify that **Dylan R. Bryant**, whose name is affixed to the annexed certificate was on the **22nd day of March 2024, State Registrar & Chief of Vital Records**. For the Department of Health & Senior Services. Within and for the State of Missouri duly commissioned and qualified according to law, and duly authorized according to the laws of said State to grant said Certificate, and that full faith and credit are due his official acts.



IN TESTIMONY WHEREOF, I hereunto set my hand and cause to be affixed the GREAT SEAL of the State of Missouri. Done at the City of Jefferson, this 22nd day of April, 2024.


Secretary of State

STATE OF MISSOURI

DEPARTMENT OF SOCIAL SERVICES - MISSOURI DIVISION OF HEALTH

STATE FILE NUMBER

FILED

CERTIFICATE OF LIVE BIRTH

124 77 010915

MAY 10 1977

Registration District No. 290 Primary Registration District No. 5983 Registrar's No. 251

VS 100

Rev. 11/72

CHILD	1. CHILD- NAME FIRST MIDDLE LAST JOHN CALVIN SETH LEHMANN			DATE OF BIRTH (MONTH, DAY, YEAR) April 30, 1977		2. HOUR 6:46 P. M.
	SEX Male	3. THIS BIRTH—SINGLE, TWIN, TRIPLET, ETC. (SPECIFY) Single	4. IF NOT SINGLE BIRTH—BORN FIRST, SECOND, THIRD, ETC. (SPECIFY)		COUNTY OF BIRTH Pulaski	
	5. CITY, TOWN, OR LOCATION OF BIRTH Fort Leonard Wood		6. INSIDE CITY LIMITS (SPECIFY YES OR NO) Yes	7. HOSPITAL—NAME (IF NOT IN HOSPITAL, GIVE STREET AND NUMBER) U.S. General Leonard Wood Army Hospital		
MOTHER	8. MOTHER—MAIDEN NAME FIRST MIDDLE LAST Judithann Frances Atherton			9. AGE (AT TIME OF THIS BIRTH) 31	10. STATE OF BIRTH (IF NOT IN U.S.A., NAME COUNTRY) New York	
	11. RESIDENCE—STATE Missouri	12. COUNTY Pulaski	13. CITY, TOWN, OR LOCATION, ZIP CODE Ft Leonard Wood	14. INSIDE CITY LIMITS (SPECIFY YES OR NO) Yes	15. TOWNSHIP Cullen	16. STREET AND NUMBER 54 Cable
	17. FATHER—NAME FIRST MIDDLE LAST James Richard Seth Lehmann			18. AGE (AT TIME OF THIS BIRTH) 33	19. STATE OF BIRTH (IF NOT IN U.S.A., NAME COUNTRY) New York	
FATHER	20. INFORMANT Mrs. James R. L. Lehmann			21. RELATION TO CHILD Mother		
	22. I CERTIFY THAT THE ABOVE NAMED CHILD WAS BORN ALIVE AT THE PLACE AND TIME AND ON THE DATE STATED ABOVE.			23. DATE SIGNED (MONTH, DAY, YEAR) 5/3/77		24. ATTENDANT—M.D., D.O., MIDWIFE, OTHER (SPECIFY) M.D.
	25. SIGNATURE George Miller			26. MO. LICENSE NO.		
CERTIFIER	27. CERTIFIER—NAME (TYPE OR PRINT) GEORGE MILLER MAJ MC			28. MAILING ADDRESS (STREET OR R.F.D. NO., CITY OR TOWN, STATE, ZIP) USGLWAH, Ft Leonard Wood, Mo		
	29. REGISTRAR—SIGNATURE Rose Basl			30. DATE RECEIVED BY LOCAL REGISTRAR (MONTH DAY YEAR) 5-7-77		

THIS IS A CERTIFIED COPY OF AN ORIGINAL DOCUMENT
(Do not accept if reproduced or if seal impression cannot be felt.)STATE OF MISSOURI } ss
CITY OF JEFFERSON

I HEREBY CERTIFY that this is an exact reproduction of the certificate for the person named therein as it now appears in the permanent records of the Bureau of Vital Records of the Missouri Department of Health and Senior Services. Witness my hand as State Registrar of Vital Records and the Seal of the Missouri Department of Health and Senior Services this date of

MAR 22 2024

MO 580-1241 (9-2022)

Dylan R. Bryant, State Registrar & Chief

VS-804

THE REPRODUCTION OF THIS DOCUMENT IS PROHIBITED BY LAW.
ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATION.

I, John Calvin Seth Lehmann, out of the age of majority and over the age of 18 years of age, claiming appointment as the account administrator of accounts and derivatives of names, known as these d b a's JOHN C. LEHMANN, JOHN LEHMANN, JOHN S. LEHMANN, JOHN C S LEHMANN, JOHN C S LEHMANN being duly sworn, hereby declare, I was born within the boundaries of the union state of Missouri on April 26th on the year of nineteen-hundred-seventy-seven as a day of my Lord Jesus Christ, claiming to be a natural born Citizen of the [u]nited states of America, henceforth, I'm a state National known as a Missourian, this is buttright demonym evidence, inhabitation, free chapel, freedom, sovereignty, I retain all my constitutional rights as a natural born Citizen of the several states of this union of several states, securing the "Blessings of Liberty" without prejudice from of the land of [u]nited states of America. Claiming full protection of my rights as an American protégé bestowed upon me from my pledged allegiance to these [u]nited states of America. All aforementioned names are hereby entrusted under a covenantal trust and are hereby, Common Law Copyright's apply, State file No. one-hundred-twenty-four, seventy-seven, zero-one-zero-nine-one-five, filed on May 10th, 1977, is Reconveyed, Gifted & Liened under covenantal trust. I, John Calvin Seth Lehmann have full power to contract, establish censure as guaranteed by the full 10 Amendments to the Bill of Rights to the Constitution of the [u]nited States of America, a Republic. Evidence of my claims are that on public record as of publication of this declaration. Blessings of Liberty are only survived by those who can keep it.

Published in Chillicothe Constitution-Tribune May 3, 10, 2024

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24 CV 0531

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

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Process of Service:

ATTN: Marie Cannon, Kellie Poynton-Gallagher o/b/o

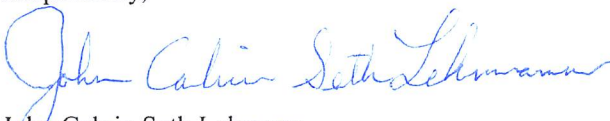
95 Franklin St. 2nd Floor room 230, Buffalo, NY 14202

USPS PS Form 3811 No. 7022 2410 0001 1086 3388

Article:

1. Federal Cover Sheet 1pg
 2. Notice of Federal Removal 2 pgs
 3. Writ of Habeus Corpus 10 pgs
 4. Process of Service 1 pg
- 14 Pages Total

Respectfully,


John Calvin Seth Lehmann

24 CV 0531

JS 44 (Rev. 12/07)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS John Calvin Seth Lehmann	DEFENDANTS ERIE COUNTY DEPARTMENT OF SOCIAL SERVICES, Marie Cannon OCSE SCU, OFFICE OF COUNSEL, Kellie Poyton-Gallagher
(b) County of Residence of First Listed Plaintiff <u>Orleans County</u> (EXCEPT IN U.S. PLAINTIFF CASES)	County of Residence of First Listed Defendant <u>Erie County</u> (IN U.S. PLAINTIFF CASES ONLY)
(c) Attorney's (Firm Name, Address, and Telephone Number)	NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED. Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)	III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)																								
<input type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 2 U.S. Government Defendant <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th></th> <th>PTF</th> <th>DEF</th> <th></th> <th>PTF</th> <th>DEF</th> </tr> <tr> <td>Citizen of This State</td> <td><input type="checkbox"/> 1</td> <td><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business In This State</td> <td><input type="checkbox"/> 4</td> <td><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input type="checkbox"/> 2</td> <td><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business In Another State</td> <td><input type="checkbox"/> 5</td> <td><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6																				

IV. NATURE OF SUIT (Place an "X" in One Box Only)				
CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med. Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	FORFEITURE/PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs. <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus: <input checked="" type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition		

V. ORIGIN (Place an "X" in One Box Only)						
<input type="checkbox"/> 1 Original Proceeding	<input checked="" type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from another district (specify)	<input type="checkbox"/> 6 Multidistrict Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION	Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): <u>28 U.S.C. 1441, 28 U.S.C. 1446(a)</u> Brief description of cause: <u>8th Judicial District will not give access to the courts: Due Process, Equal Protection</u>
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VII. REQUESTED IN COMPLAINT:	<input type="checkbox"/> CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23	DEMAND \$	CHECK YES only if demanded in complaint: JURY DEMAND: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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VIII. RELATED CASE(S) IF ANY	(See instructions): JUDGE <u>Hon. Frank Caruso</u>	DOCKET NUMBER <u>24-47885</u>
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DATE <u>5/3/2024</u>	SIGNATURE OF ATTORNEY OF RECORD <u>/s/ John Calvin Seth Lehmann; propria persona, sui juris</u>
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FOR OFFICE USE ONLY			
RECEIPT #	AMOUNT	APPLYING IFP	JUDGE MAG. JUDGE